



SPECIAL
COLLECTIONS

DOUGLAS
LIBRARY

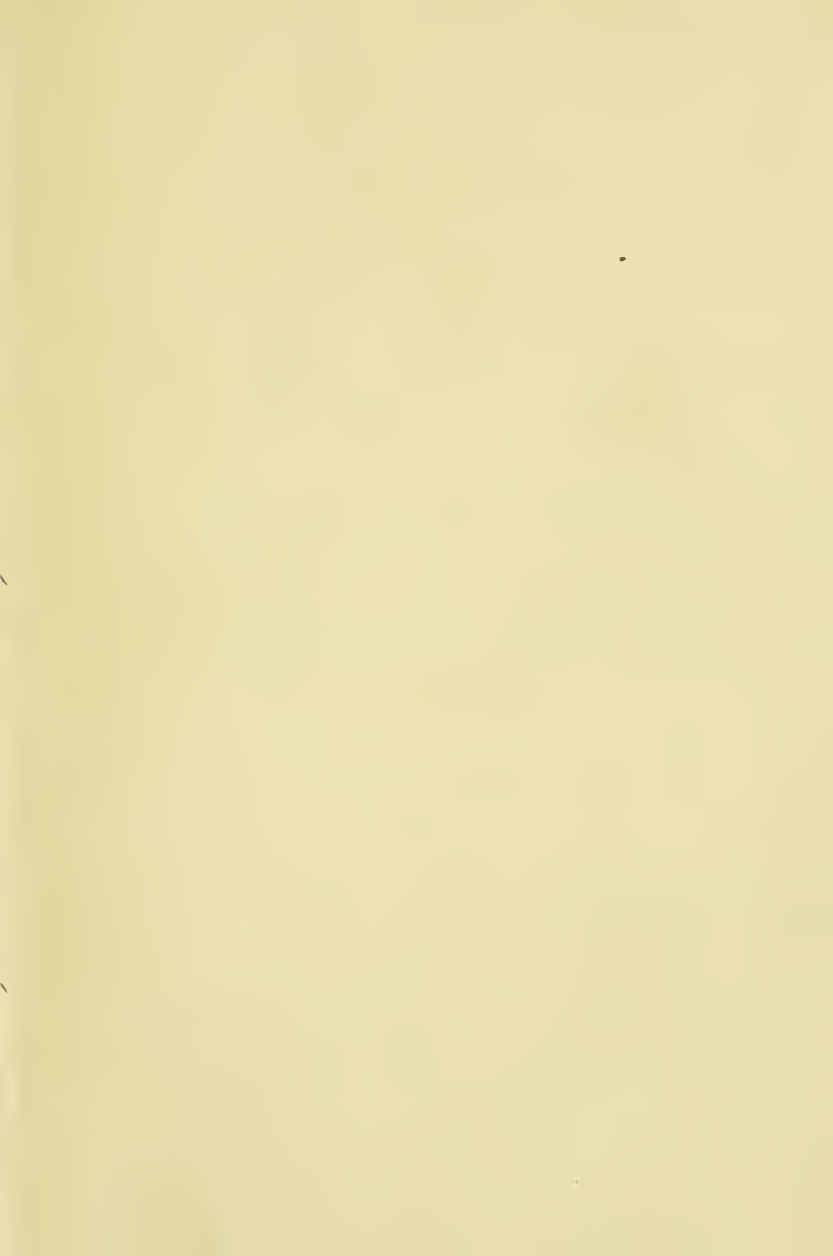


QUEEN'S UNIVERSITY
AT KINGSTON

KINGSTON ONTARIO CANADA

Preservation copy

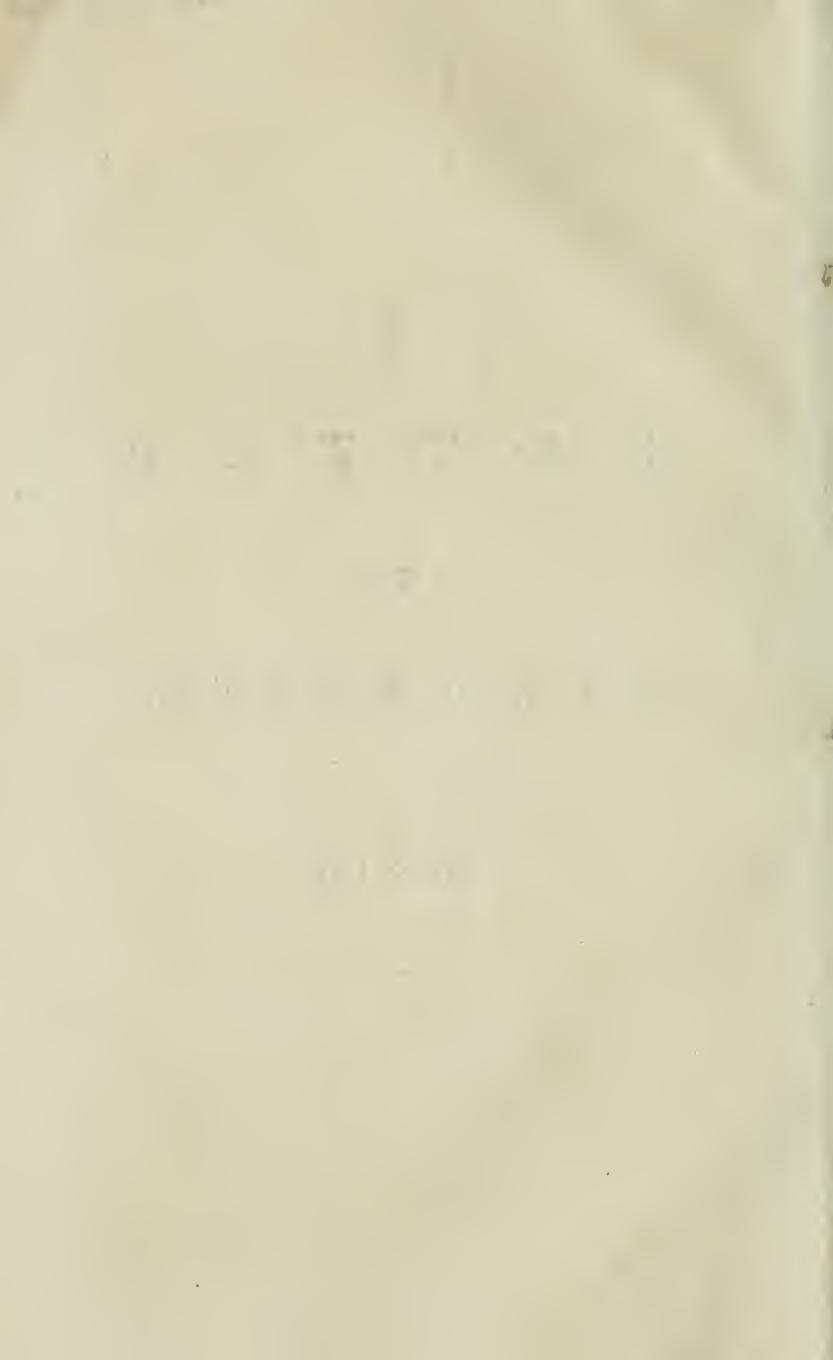
*How John St. John
Stephens of the University of
Kingston*



From the author

A
L E T T E R
TO
L O R D N O R T H.

[Price 1s.]



A

*By the Hon. John
Joli*

L E T T E R

T O

L O R D N O R T H,

O N H I S

Re-election into the House of
Commons.

By a MEMBER of the late PARLIAMENT.

Mihi quidem si hæc conditio consulatûs data est, ut omnes
acerbitates, omnes dolores, cruciatûsque perferrem : feram
non solum fortiter, sed etiam libenter, dummodo meis la-
boribus, vobis, populoque Romano dignitas salusque
pariatur. CICERO in Catilinam, Oratio IV.

L O N D O N :

Printed for G. WILKIE, No 71. St. Paul's Church-
Yard, and R. FAULDER, in Bond-Street,

MDCCLXXX.

AC911. 1780, L48

A
L E T T E R
T O
L O R D N O R T H.

MY LORD,

THIS, I believe, is the ninth time that your Lordship has been returned to Parliament, to serve your country as a Member of the House of Commons. It is an event, upon which I may, with more propriety, congratulate your country than yourself. For you, my Lord, can have little pleasure in the thoughts of taking your seat again upon the Treasury-bench. Your station there is high and conspicuous; but it is a painful pre-eminence, to which an ambitious mind may aspire, and by which a vain one may be gratified; but which can have no charms or allurements to a man who seeks an honourable retreat, and whose vanity (if Nature had not exempted him from that failing) must long since have been satiated by the possession of almost every distinc-

B

tion

tion which his country can afford. It is no easy task to paint the life of a Minister in the House of Commons. They who see and know the nature of it, can find no assignable inducement for your continuance in so laborious, unprofitable, and dangerous a post; but that point of honour which calls on noble minds to persevere in vindicating the rights of an injured nation, and defending the monarchy with resolution proportioned to the dangers which surround it. What other motives could prevail on one born to succeed (though late I hope) to great hereditary titles and estates, once more to plunge into that sea of troubles, to groan and sweat under a weary life, to bear the toils and cares, the thousand disappointments, and the dangers which attend on greatness; the calumny, treachery, ingratitude of mankind; the importunity of one half, and the contumely of the other? *O conditionem miseram, non modo administrandæ, verum etiam conservandæ, reipublicæ!* By enumerating the labours and anxieties of a Minister, I wish not to deter your Lordship from that station: it is not for your honour, or consistent with your character, in troublesome times, to seek ignoble ease, to shrink from your duty, and abandon your post in the day of trial. When a firm and honest man is satisfied of the justice of his cause, and the utility of his labour, the yoke sits easy, and the burden light. You, my Lord, have borne the burden of a State which few other shoulders could

could so long have supported. For ten years you have stood in the gap, and have fought the battle of our laws and constitution. You are *miles emeritus*, and might claim your discharge, if your king and country did not exact your further services. But the times demand your utmost vigour, and the exertion of all your nerves. You are not yet *spectatum salis et donatum jam rude*. You must not retire to the House of Peers. The people still wish to see the champion of their constitution struggling for the rights of the legislature in the face of day; for it has been out of the power of malevolence, misrepresentation, or even of ill success, to make them weary of the constitution, or to render you unpopular. You have borne your faculties so meek, have been so clear in your great office, that your virtues plead for themselves. They have protected you against envy, hatred, and malice; they have made it disgraceful and unfashionable, to avow any personal animosity towards you. Nay, further, they have extorted candour from your enemies, insomuch that, if I am accused of flattery, I must impeach them as accomplices in the guilt; I must give in evidence their confessions of your abilities and integrity; I must appeal to their speeches in parliament, in which they have had the candour and discretion to acknowledge another quality in your Lordship, which is the result of the two former, moderation. That moderation and gentleness towards its opponents

is the characteristic of the present Government, is often admitted by its enemies ; by its friends it is sometimes said to be carried to a blameable excess. And yet the present times are singled out as a proper period to raise an outcry against the power of the Crown ; and that very lenity for which your Lordship is so justly extolled, is by many, who are advocates for greater rigour than I can ever approve, assigned as the cause of the present sudden and ill-founded clamour.

To prevent any misconstruction of these last words, permit me shortly to explain my meaning. By a sudden and ill-founded clamour, I mean that general vague assertion, that the constitution is in danger from the inordinate power of the Crown ; an assertion by no means new, but last winter, for the first time, attempted to be made directly, and in terms, the subject of parliamentary resolutions : Suddenly, I say, because I believe, that, at the opening of the sessions of parliament in November, few people had any conception, that the whole employment of it would be, the consideration of the danger to which the constitution was liable by the increased and increasing influence of the Crown. The Public was intent upon other objects. The immediate danger with which the country was threatened by the most powerful confederacy that ever was combined against it, was evil sufficient for the day, and was likely
to

to have afforded matter enough for parliamentary eloquence: but it turned out otherwise, and the names of France, Spain, or America, were scarcely mentioned throughout the sessions. A variety of causes, perhaps some uncertainty of the intentions of Government with respect to the continuance of the American war, and the want of any immediate public calamity to serve as a topic of blame, might make it appear best, upon the whole, to adopt domestic, speculative, possible evils, as the plan of operations for the next campaign.

The plan was very well designed, but very ill executed both within and without the doors of Parliament.

Without doors, the plan of procuring petitions from all parts of the country, for the reduction of unnecessary places and pensions, and the diminution of the influence of the Crown, was artfully contrived. But in order to render such petitions effectual, and to provide for their being substantially carried into execution, a further measure was taken, which was perhaps the only thing that could have completely marred the whole success. It was this: The parties petitioning were made to approve of concomitant resolutions, declaratory of their intentions to take ulterior steps, and to provide means for the obtaining what they prayed in their petitions, in case the House should refuse their request.

request. For this purpose, committees of correspondence were instituted, which were to form an association throughout the realm; and this public demonstration of their intentions ruined their plan, which was originally well designed while confined to the mere matter of petitioning. For now many moderate and well-meaning men, who most earnestly wished for a real reformation of whatever abuses could be discovered, which might have crept into office through negligence or design, or which might have been occasioned by some defects in the original constitution of offices, or by the mere lapse of time, which might have rendered provisions which were well adapted for the times in which they were made, wholly inapplicable to the present mode of carrying on public business, and incongruent with the dispensation of modern affairs, and the circumstances of the age in which we live; many also who went further still, and thought, that in the matter of influence, though no grievance existed, yet something should be done to please the people, and to blunt the edge of discontents, however groundless and unreasonable they might be; many even of those who were really uneasy and alarmed on account of the influence of the Crown, who thought that the public had a right to expect some concessions from Administration on that head, were still averse from the notion that petitioners were to take ulterior measures. They did not like to hear a

language held in public meetings, asserting a right in petitioners to take what shall be refused them by the Parliament; they thought such prayers were all too bold and peremptory; they were not so sick of Parliaments, as to give their countenance to petitions accompanied with resolutions which assumed an authority paramount to that to which the petitions were addressed, superseding the functions, and threatening the existence, of the legislature. No, my Lord; these wise and moderate men were neither ignorant nor careless of the principles of the constitution. They knew and professed as fully, and were as ready to shed their blood in maintaining, the doctrine of resistance to tyranny, as any committee-man or associator in the kingdom. They held, that all government was established for the sake of those who are governed; and that whatever form of government prevails in this or any other country, it ought not to be suffered any longer to exist, when it is converted from a support and protection into an instrument of tyranny and oppression to the people. They held, that the people, when the burden was intolerable, were not to sink under the load, that they had a right to shake it off; but they neither thought that time arrived or approaching. They considered, that in all governments there must somewhere be lodged a supreme power, from whose decisions no appeal could be brought but to Heaven itself; that they who took upon
them

them such an appeal, did so at their peril; that they, in the event, could only stand justified by success; and that nothing short of an almost universal concurrence of the whole country could sanctify such an appeal, and dignify such a proceeding with the title of a revolution, which otherwise must unavoidably be deemed rebellion.

Further, my Lord, these real patriots held the right of the subject to petition the King or Parliament to be sacred and unalienable; but they thought the Parliament intitled to the free exercise of its judgment, both on the contents of the petitions, and of all the circumstances attending them. They conceived, that all people, when they present petitions, must be supposed to place confidence in those to whom they present them. If diffidence of the justice of Parliament is expressed in the petition itself, it would be a decisive reason against permitting it to be brought up; if, on the contrary, petitions are humble and decent in themselves, but attended with circumstances without doors which give a different complexion to the whole proceeding; if the persons who agree upon the petition, at the very time when assembled for that purpose, come to other resolutions, derogatory to the privileges of Parliament, menacing the contrivance of some means by which the Parliament should be compelled to comply with
their

their request; such resolutions are a contravention of the authority and competency of Parliament to refuse their prayer; such resolutions are a denial that the Parliament is the *dernier resort* for the redress of public grievances. Will any one join issue with me here, and say, that the people at large are the *dernier resort*? No one will, I am sure; for before the people at large can be had recourse to, all government must be at an end: the whole constitution must be dissolved, and total anarchy must prevail, until some entire new system is framed and established. And here let me do justice to those who are for overturning our happy constitution, by confessing, that it cannot be justly imputed to them, that, like most destroyers of systems, they are deficient in substituting any other in its place. On the contrary, your Lordship has seen with how much assiduity and skill they have fabricated a new legislature. And this would bring me to all the particular measures which were taken out of doors for the execution of the plan of Opposition last winter; such as, the resolutions of committees at Westminster, and elsewhere, concerning annual Parliaments, an hundred additional Knights of shires, &c. &c. But as most of these curious propositions were likewise made within the doors of Parliament, I shall very shortly endeavour to state how far the plan for alarming the minds of the subject with apprehensions of an overgrown power

in the Crown, was well executed, and successful within the walls of Parliament.

The campaign was opened by presenting the humble petitions of the people of England, as they were called; and that was done with great decency and caution, lest it should be apprehended, that there was any intention of threatening the legislature, which was always disavowed. Accordingly the House was assured, that the petitioners assembled on this occasion to obtain redress from Parliament peaceably, and not armed with guns, swords, staves, &c.; but that * * * * *

These humble petitions being *thus* presented, the next manœuvre was the bringing in of the famous Civil Establishment Bill. This was introduced by a speech, the ingenuity and eloquence of which would have been miraculous, had it come from any other person. It was received with the universal admiration of the House; but met with no other comment on that day, but the very marked encomiums which your Lordship bestowed on the arrangement of its matter, and the great eloquence with which it was delivered. When the bill was brought up and inspected, it was found to contain such a variety of matter of such a very distinct and heterogeneous nature, that your Lordship, and almost

almost the whole House, were for reading the bill a first time, thinking that it was not debatable upon any one general principle, but that it contained a great number of principles, almost as many as it had clauses. I own I thought the objectionable matter preponderated so strongly, that there could be no impropriety in rejecting the whole. I thought the provisions of the bill little adapted to the prayers of the petitions; and the relief proposed so dissimilar to the request, that I could not understand how it could be contended, that the petitions and the bill accorded, even as far as general terms can express the object of particular arrangements; besides, that it appeared to me to be altogether too great and sudden an alteration in the system of our government, even supposing every part of it to be in itself adviseable. Without being an enemy to reformation, any one might think it rather an unsafe experiment to abolish half the offices in the realm, to sweep away at once whole Boards, the Board of Trade, the Board of Ordnance, the Board of Works, the Board of Green Cloth, the Wardrobe, the Jewel Office, even some of the King's Guards and Attendants on his Person, the Household, the Mint, the Exchequer; all these, and other departments, were either to be destroyed or new modelled in one act of Parliament. But that was only a small part of the plan which was intended; for, exclusive of what was me-

ditated for another year, relative to the Customs, the Army, the Elections, leave was given to bring in a bill or bills in the same sessions, for abolishing and alienating great Principalities, with their whole system of revenue and jurisdiction; the Principality of Wales, the Palatinate of Chester, the Duchy of Cornwall, the Duchy of Lancaster, the Demesne-lands of the Crown, and all the Forests.

Ter sunt conati imponere Pelio Œtiam,
Scilicet atque Œtæ frondosum involvere Olympum.

All these enormous propositions, I say, were to be heaped in one pile; this *rudis indigestaque moles*, like the mountains in chaos of old; and by these gigantic steps the associated Opposition, *conjurati cælum rescindere fratres*, were to climb up to power; and your Lordship was to lie, together with the constitution, overwhelmed, and buried under the ruins.

It is not my intention to discuss the merits of all the propositions in this multifarious bill, or even to relate the success and failure of its different clauses. The contest was long and stubborn; every inch of ground was disputed; the numbers were nearly equal; and, in two pitched battles on the two first clauses, the victory was alternate. But when these opposite forces had tried their strength on several
grounds,

grounds, it was perceived by some of the ablest Generals, that in their intended course it would be necessary to sit down before a very strong fortress, which they feared was impregnable. This was no less than the King's House. They foresaw the difficulty they should have in reducing the citadel; they knew that it was strongly garrisoned, not only by household troops, but that the country flocked in to its defence. Their fears proved well founded, and the repulse they met with threw them into utter confusion; they began now to despair. This discomfiture cast an ominous conjecture on the whole success; but it was a decisive overthrow of the particular plan of operations chalked out by this Civil Establishment Bill.

Accordingly another scheme was delineated. Another great General acting in chief, who had a separate command in what was *then the allied army*, commenced a different system of hostilities. Seeing the ill consequences of coming immediately to action on ground marked out and agreed upon, or of laying siege to any particular place, he began his operations at a distance, by collecting force, and laying in stores on all sides, which might enable him to reduce whatever part of the country he should afterwards please to fall upon; and here (as I said before) the plan was well designed, but it was ill executed.

It

It was surely well judged, finding one system impracticable, to quit it, and to begin another *ab ovo*, to wipe away all former ill-conceived abortive productions, and to regenerate the whole. It required all the skill of party to disengage itself from this bill, to rid itself of this incumbrance, which entangled and retarded its progress, to shake off its skin like a serpent. Accordingly, *positis novus exuviis nitidusque juventâ*, Opposition set to work with fresh vigour and venom, and brought forth a famous and wonderful parliamentary prodigy. It was an abstract resolution of a general nature, which might afterwards be brought to support whatever individual measure should be built upon it, “ *That the influence of the Crown has increased, is increasing, and ought to be diminished.*” A very well contrived, artful, comprehensive motion, which might be argued to extend to any case, and was peculiarly well calculated to captivate many very respectable country gentlemen, who by education had imbibed, and who by descent were intitled to, an hereditary prejudice against the influence of the Crown, though they were professed friends to its prerogatives. The discussion of the merits of that resolution lies not within the compass of this Letter, or of my abilities; and whatever my opinion may be of the truth of the assertion itself, or of the expediency of coming to such a resolution if
true,

true, I shall content myself with simply stating the nature of the question.

And though I attempt no more, I know what a difficult task I undertake. The subject is of so delicate a kind, that it is easy to misrepresent whatever is said upon it. I must therefore premise, that I am not going to write in defence of parliamentary prostitution—

Ne forte rearis,
Impia me rationis inire elementa viamque
Introredi sceleris—

lest you should think me capable of such blasphemy against the constitution. I am no advocate for a slavish and mercenary House of Commons ; but I am ready to profess myself a friend to royal influence in the State. The ideas are perfectly distinct and separate ; so much so, that when influence and corruption are confounded one with another, and used as synonymous expressions, I cannot give credit to mankind for such a degree of stupidity, as to believe them unable, and therefore must suppose them unwilling, to discern the difference. Very slender faculties are sufficient to distinguish between an absolute resignation of all conscience and judgment into the hands of a Minister, and an attachment to the cause of Government ; between clandestine bribery, and the public acceptance of beneficial employments. That
influence,

influence, to a certain degree, and under proper limitations, ought to exist, is admitted fairly by those who are now for its diminution; in all their speeches they uniformly state, that the Crown has *too much* influence. Their arguments all go to shew an approbation of it, if kept within proper bounds; they are ready to recognise and justify it as a principle of Whiggism. Even Mr. Hume, who has sometimes been supposed to be no great favourer of those principles, has directly opposed and answered the position in Lord Bolingbroke's Dissertation on Parties, "That the dependence of Parliament, in *every degree*, is an infringement of British liberty." Mr. Hume thinks, that it would have been more prudent in the management of the argument, for the country party of that time to have made some concessions, and have only examined what was the proper degree of this dependence, beyond which it became dangerous to liberty. He argues the necessity of influence, from the danger which would arise to our constitution from the excess of power entrusted to the House of Commons. His opinion is, that, in a mixed Government, where the authority is so distributed, that one rank, whenever it pleased, might swallow up all the rest, and engross the whole power, the natural ambition of mankind would induce that order of men, of whom this rank is composed, to usurp on every other order, and render itself absolute and uncontrollable;

troublesome ; that the share of power allotted to the House of Commons is so great, that it might wrest from the Crown every power which the constitution has given it, one after another ; and that the only reason why the House of Commons does not stretch its power is, because such an usurpation would be contrary to the interest of the majority of its members. The interest of the body is restrained by the interest of individuals ; and, therefore, Mr. Hume thinks, that some degree of influence is inseparable from our mixed government, and necessary for its preservation.

It is exceedingly difficult, not only to ascertain the degree which ought to exist, and fix the proper medium, but also to find words to describe the nature of influence precisely, though it is very easy to distinguish it from corruption. It arises from the patronage which necessarily resides in the Crown, which cannot be taken from it without abolishing the functions of a supreme executive magistrate, and destroying the office of King. The disposal of public offices is most conveniently placed in the Crown. If they were elective, great confusion and disorder in the country, and great delay of all public business, would be the consequence ; innumerable evils would attend any other mode of appointing them, than that which our laws have prescribed ; and above all, it would be impossible for the executive department of Government to be carried on by a Monarch, who was not at liberty to chuse in

whom he would place his confidence. From hence it comes, that the Crown is possessed of such a patronage. It was not originally given for the purpose of creating an influence in the legislature; but that influence was an unavoidable, and; as we have seen, a beneficial consequence of it. In strict theory, it is said by some, that the Legislature should be subject neither to fears nor hopes; that each individual should vote, not only according to the dictates of his own conscience (which no one can dispute), but according to an opinion which he shall be bound to form on each question, however suddenly that question may be propounded, however incompetent he may feel to give any judgment on the subject, and without any deference to the abilities, experience, information, or official situation of others. Will any honest man say, that this theory, in all its rigour, can; or ought to be carried into practice? If I were to argue on a supposition of perfection in mankind, I should say, that no government at all is necessary; we should neither stand in need of a King, a Parliament, or any Laws. But can any one be so ignorant, as to think absolute purity attainable in the dispensation of any human institution; as not to know, that there are inherent in the mind, passions, prejudices, and motives of conduct, which ought ever to be counteracted? If it were only the envy of the world, and that propensity which we see in men to resist those who are put in authority over them, we should find it very necessary to put some weight
in

in the opposite scale. No man who has studied mankind, or attended to the nature of government, can honestly say, that he thinks our constitution a practicable system, without any mixture of influence; and whatever invidious appellations we give it, or in however odious a light it may be represented, as depriving the people of their share in the Government, and defeating the purpose of representation; however plausibly it may be stated to the illiterate as a solecism in Government; yet all men of learning or good sense see and confess its utility, and know, that in many States, whose constitutions have been less complicated than ours, and even in our own country, instances are to be found of much more striking solecisms. Mr. Hume, in one of his Essays, has commented very ingeniously on three remarkable solecisms. The *γραφη παρανομων* at Athens:—The clashing of the *comitia centuriata* and the *comitia tributa* at Rome:—And the legality of pressing seamen in England. But though in all mixed Governments, there will be strange contrarieties and seeming inconsistencies, blended and interwoven in the original frame of their constitution; though their theories are intricate and perplexed; yet in practice, mixed Governments are often simple, plain, and manageable. This is, in some measure, the case with our Government, in respect to influence. Though it may seem, at first, to any one unaccustomed to think on such subjects,

to be incompatible with liberty, and tending to undermine the constitution; yet it has been found, that the constitution contains within it correctives of its own abuses, preservatives against the encroachments of its several parts upon each others privileges, as well as upon the liberties of the whole community. So long as the fountains of freedom flow in undiminished streams, and in their usual channels, and whilst the soil is wholesome, the seeds of liberty will vegetate. The constitution, in spite of the partial corruption of individuals, will itself be unpolluted and incorruptible —

The ethereal mold
Incapable of stain will soon expel
Her mischief.

The life-springs of the State arise from the body of the people of England. While that great mass of blood is wholesome and unbroken, it will always have elastic strength enough to throw off any particles of corruption which time may have collected. This very year has brought forth into action those principles of renovation which preserve our constitution. At this crisis, it may purge itself both of venality and faction. I trust, that neither the aphorism of Lord Bacon, nor the prophecy of Montesquieu, will be verified, by the corruption of Parliament, during your Lordship's administration. You are no advocate for corruption; though you, and
all

all others who opposed the resolution, That the influence of the Crown ought to be diminished, are held out as such to the people.

But whoever considers the magnitude, extent, and intricacy, of that resolution, will not be much surpris'd, that your Lordship, and so large a number of Members, should refuse to concur, at once, in such a proposition, without any previous notice. It is not only usual to give some intimation of the nature of every important motion intended to be made in Parliament, but it is demandable in candour; and it is of public utility, that the Members should have an opportunity of considering the merits of a great question before they decide upon it. Perhaps, I may be allowed to suppose (without derogating from the abilities of those who represent the Commons of Great Britain), that it would be convenient to gentlemen, to have some little time to qualify themselves to be judges in so complicated a matter. May I, without being guilty of contumely, express a doubt, how far every senator, who was called upon so suddenly to vote, that the balance of power in the three constituent parts of the Legislature was destroyed, and that the Crown preponderated in the scale, was a perfect master of the circumstances necessary to be known, in order to form any competent opinion on such a question? That it is a subject of great detail, cannot be doubted; it branches into every department of the State; it concerns
every

every description and order of men ; it cannot be comprehended in one view. Objects, when they exceed certain dimensions, cannot, by the laws of optics, be seen at one sight ; so again, when they are divided into a multitude of very minute particles, they cannot be observed but through a microscope, and require much time and trouble for an accurate examination. Both these cases apply to this question upon the encrease of influence ; in one light, it is too great, in another, it is too minute, to be the subject of one vote ; its magnitude makes it an improper object of an immediate primary determination, to serve as a *substratum* for essential innovations in the State ; and its minute detail, in respect to the variety of considerations which it includes, renders it unfit to be compressed into a single vote, and to be resolved upon, and reported to the House, the same night. Such a motion would more naturally have been expected as the result of many other conclusions, formed in the course of a long enquiry, and established by a previous statement of facts, in a committee appointed for that purpose. It is much easier to assert and say, that the fact is too notorious to be disputed, and that every one is a daily witness to the excessive influence of the Crown, than to state with any degree of candour, intelligence, and precision, how far the increase of influence from any given period (for instance, from the Revolution), arising from the augmentation of our fleets and armies, and of our national debt, is greater

greater or less, than the defalcation of it by various means and circumstances ; some of them imputable to accident, as flowing from unforeseen political events, and the changes incidental to the progress of time ; and some the effect of design, resulting from the deliberate intention of the Legislature, and prescribed by positive institution. Of this latter sort, are all those statutory provisions for the diminution of influence. Acts of Parliament, creating disabilities in certain officers of the Crown to sit in the House of Commons. By these acts, all persons holding offices created since 1705, are disabled ; so that the Crown cannot appoint any new office in future, tenable with a seat in the House of Commons. Besides which, the statutes on this head are made to operate with a retrospect ; and all officers (except the Commissioners of the Treasury) concerned in the management of any duties created since 1692, are rendered incapable of sitting in the House. A long train of other offices are also disabled by name ; such as, all Commissioners of Prizes, Transports, Sick and Wounded, Wine Licences, Navy and Victualling, Secretaries, or Receivers of Prizes, Comptrollers of the Army Accounts, Agents for Regiments, Governors of Plantations, and their Deputies, Officers of Minorca or Gibraltar, Officers of Excise or Customs, Clerks or Deputies in the Offices of the Treasury, Exchequer, Navy, Victualling, Admiralty, Pay of Army or Navy, Secretaries

Secretaries of State, Salt, Stamps, Appeals, Wine Licences, Hackney Coaches, Hawkers and Pedlars. Under this head of disability by statute, likewise come all persons who have any pension from the Crown during pleasure, or for any number of years. Besides these disabling acts, it is to be observed, that the Legislature has enacted, that so often as any member shall accept an office under the Crown (excepting in the army or navy), it shall vacate his seat in Parliament, though it is not one of those offices which disqualify him to be re-elected. Other acts have passed to lessen the influence of the Crown in elections; such as the restraining certain revenue officers from interfering in elections, under great penalties; such as Mr. Grenville's bill, regulating the mode of deciding controverted elections. The Legislature has also framed provisions for securing the independence of the elected, by requiring a qualification to be produced by each member, who must, before he takes his seat, swear, that he is in possession of landed property to a certain amount. Many statutes have been enacted, by which the patronage of the Crown is diminished. Without enumerating them, I will only mention, that his present Majesty, on his accession, gave up to the public all the Crown lands, which was a very fruitful source of influence. And to conclude this very imperfect catalogue of parliamentary defalcations of influence, I must observe, that the whole patronage

tronage of the Crown, whether in the shape of place or pension, is by taxes reduced in value more than one fourth part of the neat income. But, exclusive of the means taken by the legislature to guard itself against influence by laws of its own making, circumstances have happened in the course of time, which must contribute greatly to the declension of Royal power. The diminution of the value of money since the Revolution, must make all fixed salaries of much less value to the holders of them, and much less desirable, than in former times. The salaries of office were formerly sufficient to support the officer; but they remain the same, and have not, like landed and commercial property, increased in proportion to the increase of taxes and luxury. But there remains one consideration, which, from the magnitude and importance of it, as well as from its novelty, and the distress which it brings upon us, must be uppermost in our thoughts,—the loss of America for the present. This is surely such a defalcation of Royal patronage, as reduces it much below the standard of times when it was not so much complained of.

But whether all or any of these considerations were in the mind of each member who voted on the subject, or whether they were weighed sufficiently; whether the rise and progress of influence was historically traced, its proper degree and quantity ascertained and

E

measured,

measured, and its different kinds discriminated, is not for me to say. I am not to suppose, that a committee of the whole House could come to any rash, precipitate resolution; I am not to suppose, that a House of Commons could be fascinated by a mere sound, fit only to catch the ears of the multitude: but I may and do conceive, that, upon the sudden propounding of an abstract question, affecting, on the one hand, the power of the Crown in respect to its influence, and, on the other hand, seeming to promote the independence of the Commons, many respectable gentlemen, who had not very critically examined the truth of the assertion, might think it more prudent, and more consonant to the sentiments and feelings of a free people, unto whom they were likely soon to return, divested of their senatorial capacity, to take that side which professed apprehensions for the cause of general liberty. This they might think the safest side, when driven to a vote on such a delicate topic. I may however differ from them in thinking it the safest side, I mean for the constitution; I may, without any disrespect to them, be of opinion, that a declaration against the Crown, in these times, will not conduce either to the safety or the freedom of the country. Further, I may think that the Crown stands in need of support; and that if its influence had increased, the licentiousness of the age had more than kept pace with it; that such was the

the abuse of liberty, to such wanton extremities, and with such rapid strides, had it advanced, that it had far exceeded any progress that influence could have made ; that levelling principles, that disrespect of all rank, authority, and law, had outbalanced, and been more than an equal set off against, any invasions of Royal power that could be pretended to exist.

But, my Lord, these invasions were not pretended, even by your enemies, to have been made during your administration ; on the contrary, they were admitted to have been the work of many successive reigns ; at least, this confession was frequently made in Parliament, though I cannot say there was the same candour without doors, in stating this matter to the people. In all the appeals to the people, by public prints and at public meetings, the influence of the Crown was complained of as a shameful abuse of the present government, without any acknowledgement, that it was gradually accumulated, and of long standing, the unavoidable consequence of systems established and approved by those whom the present complainers professed to idolise ; that if it was grown to a dangerous size, it still was the offspring of free parents, was fostered, nourished, and brought up in the House of Liberty, was coeval, and had gone hand in hand, with many of the fairest children of Freedom in

the most flourishing and prosperous days of the community. No, my Lord ; it was every where represented as an hideous monster, springing out on a sudden from a rank and unwholesome soil, engendered by the noxious vapours of a pestilential climate : it was called an Hydra, and Hercules was not sparing in his blows. We have already related the issue of that battle ; and we have seen, that the people, though no industry was wanting to raise their fears, and work on their imaginations, did not think that this Hydra could afford the loss of so many heads without complete destruction. They wished not totally to annihilate the creature ; they wished to scotch the snake, not kill it ; they remembered the story of Cadmus, and feared that, if the serpent was slain, there might arise from its teeth men clad in armour, who might, as they did, fight with one another, till almost all were killed. *Cadmeia victoria* was a proverb which they had not forgotten ; and they despaired of begetting peace and harmony by the demolition of Royal influence in the State. They knew that the Crown, by the constitution, was made the fountain of justice and mercy, of office and of honours ; that rewards and punishments must proceed from the highest powers ; that, in a free State, gratifications are better instruments of government than prisons or scaffolds ; and that the cause of Liberty was interested, in not suffering the Crown to be totally de-

I

prived

prived of the means of rewarding those who shewed themselves friends to our free and happy constitution.

At the same time, there was a majority of those, who were so far from being controuled by the ministers of the Crown, that they voted, that influence had exceeded its proper bounds, and that some reduction of it would be salutary. This vote was carried against your Lordship. The success of the proposition disproved the truth of it, and the resolution of the House was *felo de se*. But notwithstanding the paradoxical nature of the assertion in this vote, it was matter of no small triumph to Opposition. Let us therefore now see how the conductors of Opposition availed themselves of the advantageous ground which they had obtained.

They were now masters of the field, with a majority pledged to support any measure, for the reduction of influence, which was within the bounds of reason, and not productive of greater evils than those which it was intended to remedy. But instead of following up their resolution with some specific proposal on that head, which flowed as a consequence from their first proposition; instead of aiming their next blow at the influence of the Crown, they at once abandoned the ground on which they were triumphant, in order to make an attack on another object, totally different in its

its nature, namely, the prerogative of the Crown.

A motion was made, to *address the Crown not to dissolve the Parliament, or prorogue the present session, until proper measures had been taken to diminish the influence, and correct the other abuses, complained of by the petitions of the people.*

This was entering into a new field of battle, in which they had no right to presume a superiority in situation or number. No complaints had been made by the people, no dissatisfaction had been expressed by Parliament on account of prerogative; on the contrary, it was said to be already sufficiently curtailed, to have been sunk almost into disuse and oblivion. We had been accustomed to read in one of the most eloquent compositions of modern times (in which influence also was not so roughly handled as it has lately been), intitled, *Thoughts on the Cause of the present Discontents*, That “the power of the Crown was almost dead and rotten as prerogative, which being only the offspring of antiquated prejudices, had moulded, in its original *stamina*, irresistible principles of decay and dissolution.” But though prerogative has, in this Author’s opinion, long since been dead and buried, will he suffer it to rest in peace? Has he not disturbed its *manes*? Is not its
ghost

ghost called up to stalk abroad, and shake our dispositions; or rather, like Banquo, to push us from our stools? The Parliament, however, were not appalled by such unreal mockery. They dreaded not in these days the exertions of prerogative, and refused to intermeddle with what they knew to be the proper province of the executive department. This was the *coup de grace* to Opposition, which they called for of their own accord.

I shall not mis-spence my time in proving, that the lawful prerogative of the Crown was attacked by this motion. For although the competency of the Crown to dissolve the Parliament was not denied, but rather recognised, by this motion; yet it is too clear to stand in need of any argument, that any interference of the House in the matter of its own dissolution, carries so much authority with it, that its advice or recommendation amounts in effect to little less than an assumption of that prerogative. This, I presume, has been at all times the opinion of the House of Commons; as I am not informed of any one instance in the history of England, till the last sessions, of its having been proposed in the House to address the Crown not to dissolve the Parliament, though, for purposes of convenience, addresses have been presented against prorogations. If I were to go into any discussion of the question, Whether prerogative has, or has not, been aimed at? I should

should be forced to recur to the Civil Establishment Bill, and say, that notwithstanding all the disavowals of any intention to affect prerogative, the attempt was certainly made ; for to disable the King from appointing officers, of the utility of whose functions he is by law the sole judge, is plainly and flatly to cut off that prerogative. If their salaries or emoluments are burdensome to the country, the people have a right to petition for their reduction ; but the Crown may, if it pleases, diminish the profits of its officers without lessening their numbers ; indeed, I have not heard it contended, that the bill was not in that respect rescindatory of the prerogative.

I should be ashamed to say so much upon subjects so exhausted, if I did not see so many instances of the stupidity, ignorance, or perverseness of mankind, in not distinguishing between prerogative and influence. The *power* of the Crown is a more general term ; it may allude to either, and comprehends them both. Accordingly, the system of some has been, to perplex the understandings of the people, by bringing every possible question under that head. This splendid topic is hung out to dazzle their minds. At the sound of those words, the *power of the Crown*, all argument must cease ; all offices must sink to the ground ; the most ancient establishments must bow down their heads ; and the pillars of the constitution
must

must fall, like the walls of Jericho, at the sound of the trumpet. Such was the magical virtue of this vague indefinite catch-word, that it perverted the faculties of men so far, that they knew not the meaning of the terms they used ; not only prerogative and influence were confounded, but errors in the execution of offices were blended with questions on the propriety of their existence. The correction of abuses and deviations from our constitution were mixed, and made a common cause, with the condemnation of the constitution itself, and the total alteration of it : whereas nothing can be so contradictory, as the idea of reforming and correcting a constitution which is meant to be entirely done away. Such mending and patching would be as preposterous, as to attempt to cure a wound in a limb which was destined for amputation.

And here, my Lord, I am sorry to say, that there are those who think the wounds so deep and incurable, that great integral parts of our constitution must be lopped off. To those gentlemen I must presume to say, that *cuncta prius tentanda*. Insignificant as I am, I must take the liberty to recommend a little caution to those advocates for indiscriminate reformation, who are pulling an old house over their heads, and, in the midst of the ruins, are madly cutting away the beams and timbers

F

which

which they stand upon; for when monarchy is pared away, aristocracy will not succeed it. All ranks and distinctions will fall to the ground; and that influence, which, by the present constitution, is inseparable from great rank and property, will get into the hands of enterprising men, whose names are not yet known. The troubles in the last century, and the late rebellion in America, furnish too many examples of this kind. Therefore I must once more supplicate our modern reformers to leave influence enough in the Crown and the Gentry, to enable them to transmit the constitution inviolate to their posterity. The Author of *Thoughts on the Causes of the present Discontents*, tells us, that “our constitution stands on a nice
 “equipoise, with steep precipices and deep
 “waters on all sides of it. In removing it
 “from a dangerous leaning towards one side,
 “there may be a risque of oversetting it on
 “the other; every project of a material
 “change in a government so complicated as
 “ours, combined at the same time with external
 “circumstances still more complicated,
 “is a matter full of difficulties. They do
 “not respect the public or themselves, who
 “engage for more than they are sure they
 “ought to attempt, or that they are able to
 “perform.” Let us then see what has been attempted.

I will

I will endeavour only to enumerate the projects which have been devised, exclusive of the long list which I mentioned before. *Nunc jam aperte rempublicam universam petis.* Annual Parliaments, adding an hundred Knights of shires, the disfranchisement of Boroughs, taking away the votes of Revenue-Officers, Triennial Parliaments, and (lest short Parliaments should fall into the hands of the Crown by the King's appointing the Returning Officer) taking away the King's nomination of Sheriffs (by whom almost the whole of our municipal law is executed), giving to every man in England a right to vote for Members of Parliament, disabling all persons who contract with Government to supply the public with necessaries of any sort, from sitting in Parliament, increasing the qualifications of Members, besides hints of attempting to deprive the Scotch Lords and the Bishops of their votes in the House of Peers. This was the bill of fare ; but the superfluity was nauseous, and turned the stomach of the nation. They foresaw the impossibility of digesting so much crude trash, and sickened at the sight of the feast.

To this it is that we owe the preservation of our Government ; to this it is that Opposition owe their unpopularity. *Nunc te patria, que communis est omnium nostrum parens, odit ac metuit : et jam diu de te nihil judicat, nisi de paricidio suo cogitare.* The eyes of all the people were opened ; they now no longer looked upon every

one as a friend to corruption, and an enemy to liberty, who did not implicitly adopt every wanton, fantastical alteration of the constitution, which extravagant folly and presumption could suggest to the prurient imaginations of every conceited and officious reformer. Hitherto, all patriotism had been supposed to consist in a lust of innovation; to new model, and to ameliorate, were thought synonymous terms; every new project was argued to be a corollary from the resolution against influence, which was made a receptacle for all the rubbish and offal and undigested crudities of the town; every idle, straggling, unconnected, unconcerted proposition, which was thrown, to take its chance, into the stream of popularity, was sucked up into the vortex of that famous and all-devouring resolution. But now the measure overflowed, the appetite of the nation was palled, the thirst of change and novelty was quenched; moderate men began to look with a more favourable eye on the old established Government; they saw the consistency, and nice dependencies of its parts; they were afraid to meddle with it, for fear of destroying the harmony of so complicated a machine; every day convinced them more and more, that a wild unbridled spirit of innovation was gone forth, which would drive hard to the ruin of this country, blast all its hopes of better days, weaken, confound, and baffle its efforts against its foreign enemies, and perhaps disturb the sources of its domestic tranquillity. They saw with indignation, a
settled

settled plan, to pull down the Parliament and the Monarchy. His Majesty was only to retain the name ; and all the addition to a King, the sway, revenue, execution, was to be placed elsewhere ; the Associators held precisely the language of Goneril to Lear :

——Be then desired by her,
Who else will take the thing she begs
Of fifty to disquantity your train.

But the country gentlemen did not relish such ungrateful language to the Throne ; they did not like to cut off the train, and scant the sizes of a Monarch, who had made a voluntary surrender of his hereditary revenue, on his accession, for an inadequate annuity. As little did they approve of that indecent and disorderly language, by which the Parliament was to be cried down ; that it had betrayed its trust ; that it was become corrupt. They saw no patriotism in attempting to depreciate the legislature, at a moment of public difficulty and distress ; and they acted on this principle, that the question was now no longer, Whether we should adopt one innovation or another ? but, Whether we should, at once, lay aside, and blot out from our memory, all trivial fond records of our ancient constitution ? Not whether there should be a change of men and measures, but a change of all that we have been brought up to venerate from our childhood ; a change of that constitution which has so long been the envy, admiration,

tion,

tion, and common theme of declamation, throughout Europe; that happiest compound of monarchy, aristocracy, and democracy, which human wit and the experience of ages have produced !

Having professed myself so zealous a friend to the constitution as it now stands, permit me to extend those professions to the Church as well as to the State. Though civil dissensions are dreadful, religious differences are still more to be avoided and abhorred. Religion is a plant, which, where it grows at all, is deeply rooted in the hearts of men. It brings forth the most salutary, or the bitterest fruits, according to the soil and climate from whence it springs, and the branches which are grafted upon it; it brings with it airs from heaven, or blasts from hell, according to the purity or corruption of its spirit. The mild, benign, and charitable principles of our reformed Church are, when considered in a temporal view (exclusive of their spiritual excellence), the greatest blessing which we can enjoy; they not only conduce more effectually to the extirpation of the more enormous and the grosser vices, by exposing their deformity, and rendering immorality odious in the sight of man; but, by a more gentle and gradual operation on the secret springs of the mind, they ameliorate our dispositions, humanise our hearts, mitigate our passions, soften our manners, incline us to pardon, pity, and

Correct the errors of others. By making us sensible of our own infirmities, they teach us even to forgive the unjust and cruel acts of our enemies, much more to tolerate the opinions of our friends and countrymen. This benevolent spirit of our Church had lately broke forth in fresh instances of toleration. Our liberal and enlightened age had passed an act, seemingly with universal approbation, to remove the disgraceful severity and injustice of some laws against the Roman Catholics.

But, to the astonishment of the world, it was found, that even in these days, and in this country, there were wretches, whose blind infatuated bigotry made them proper instruments to execute the desperate designs of treason and fanaticism. Sectaries who lived under the toleration of our established Church, were artfully stirred up to clamour against the extension of that toleration. The effects of bigotry and sedition are too recent and palpable to need any relation. But what were the secret springs which first set them in motion, and what the ultimate objects which were aimed at, is not yet brought to light; they remain *altâ terrâ et caligine mersæ*. I shall not attempt prematurely, to develop the origin of these troubles; it is sufficient for me to have been a witness to the dreadful insurrection which took place, and which closed this boisterous sessions of Parliament with a scene of havock and confusion, which

which seemed likely, at one time, to have ensued from principles laid down in the opening of the Sessions; but as Civil Discord failed to unbolt the gates of war, Fanaticism stepped forth and burst them open.

Ardet inexcita Aufonia atque immobilis ante.

At once, the metropolis was on fire, and in arms; the legislature, the laws, and the faith of nations, were insulted and trampled under foot; and, for a short time, this capital exhibited a specimen of the blessings of anarchy, and of the consequences which flow from an appeal to the people at large.

To give any adequate account of the distraction into which this metropolis was thrown, exceeds my power of description. The most opulent, populous, and flourishing city in the world, on fire in many quarters, and its inhabitants apprehensive of a general conflagration and pillage; one while, under the dominion of a lawless rabble, then rescued from their hands by the soldiery, and subjected to military command, must afford a scene so full of circumstances worthy to be noticed, as to render it almost impossible for any man to fix his attention on one object alone. One object, however, there was of so curious a nature, as to deserve regard and contemplation in the midst of all our horrors. This was, the conduct and demeanour of the several political parties in the State.

State. That party should have existed at all, while the common safety seemed to be immediately at stake, is surprising; but as it did exist, it is fortunate, that it broke forth in such a manner, as to display itself in all its deformity to the public view. It will be a useful lesson to this and future ages; it will serve as a caution, to deter mankind from placing too much confidence in professions of unanimity, amongst those who have been known to act upon irreconcilable principles. It will prevent the world from being lulled into a fatal security, by supposing, that, at all times, whenever through caprice they may grow tired of one system of Government, or feel a disposition to change hands in the direction of public affairs, there will be ready for their service, a numerous, compact, united, and sufficient body of men, to whom they may have recourse, and on whose collective wisdom they may depend.

True it is, that all parties, and all men of property or character, concurred in this, That the State ought, at all events, to be rescued from the hands of a fanatic mob; but in what manner, and with what degree of energy and dispatch it ought to be suppressed; whether any, and what sort of discrimination should be observed in dispersing rioters, whose outrages had proceeded to such a length; on these matters there were different opinions. The sentiments

G

of

of parties, which, for some time, had joined in opposing the Administration, are supposed to have been very adverse to each other, in regard to the policy and propriety of making any sort of use of these tumults, or endeavouring to direct the storm, and turn the torrent, towards any other object, though for the most beneficial purposes, such as the reformation of public grievances, or the extirpation of bad ministers. The most numerous and powerful party thought it more wise and just, to suspend their hostilities against Administration; *motos præstat componere fluctus*; nay, even to support the Government with all their strength, openly, firmly, sincerely, without reserve or limitation: they were resolved to keep no terms, or management, with the mob; they were not for trifling with such an ungovernable instrument. A fanatic insurrection appeared to them to be an edged tool very dangerous to play with. They saw how little dependence was to be had on the consistency of rioters in their attacks, and how liable they were to turn against their friends:

——— even handed Justice

Returns th' ingredients of our poison'd chalice
To our own lips—

They therefore judged prudently, as well as honestly, that no encouragement was to be given to such execrable proceedings; that they admitted of no palliation, and that the perpetrators of such enormities deserved no mercy,

and should be fallen upon by the military *main basse*, wherever they assembled.

These opinions are supposed to have been so discordant with those of others, who were for keeping some measures with the populace, as to have produced a political schism, worthy to be recorded as one of the most remarkable effects of these disorders :

—malè fatta

Gratia nequicquam coit, et rescinditur—

Such violent disputes are said to have arisen in the allied army, that they could no longer hope to keep the field together. That parties united only for the purpose of hunting down a Minister, should, when they have caught their game, fall out and quarrel for the bear-skin, is not to be wondered at ; it is no more than the ordinary effect of hunger and rapacity ; but that, during the chase, while the game is in view, and surrounded, entangled, and almost ready to become their prey, they should, instead of seizing on it, fall together by the ears, and tear one another to pieces, is really a very extraordinary phenomenon. If fame speaks truth, the exasperation which took place in this intestine fray was excessive ; deep and wide wounds were given, old sores ripped open, and the rupture became incurable. From the contention and animosity which had broke out between these parties,

ties, peaceable men began to flatter themselves with the hopes of extracting some advantage. When they saw that parties which had so lately *affiliated*, could at once fall on one another with such *acharnement*, they thought it as reasonable to expect, that some of the most respectable opponents of Government might as suddenly lay aside their enmity to it. A coalition seemed likely to take place; and the more so, because the apparent motives of conciliation had no connection with, nor any relation, affinity, or similitude to, the subject-matter of the differences and disputes which had long been carried on between the opposite parties in politics. The novelty of the occurrence, and the horror and indignation which it excited, would have furnished a pretext for the junction of persons, which, at any other time, might appear less intelligible to the public. For now it became manifest, that the monarchical part of our constitution was not useless; the power of the Crown was not now found so unnecessary, or so great an evil, as it had been represented; the moderation and tenderness which were shown in the use of it, rendered it less unpopular; and the nation seemed to think, that the laws, the constitution, and the Liberties of the country had been rescued by the exertions of the King in Council. *Rempublicam Romanam, atque omnium vestram, bona, fortunas, conjuges, liberisque vestras, atque hoc domicilium clarissimè*

clarissimi imperii, fortunatissimam pulcherrimamque urbem, hodierno die, deorum immortalium summo erga vos amore, laboribusque conciliisque meis, ex flammâ atque ferro, ac pene ex faucibus fati, ereptam, et vobis conservatam ac restitutam videtis.

And now, my Lord, permit me to conclude, by asking your Lordship's pardon for trespassing so long on your patience; for so doing, I have no other apology than this, That I think it the duty of every man to exert himself, however mean his abilities may be, in support of this free government. This age has been a witness to your Lordship's exertions in the defence of the constitution; futurity will, with gratitude, commemorate the noble stand you have made against foreign enemies, revolted subjects, and domestic faction. When time shall have allayed the ferment of party, the cool dispassionate page of History shall tell, That in 1780 there was in England a Minister of noble birth, fair character, great learning and natural faculties, whose whole life had been spent in official parliamentary and political business: That experience in office had made him the most perfect master of finance in this country, or perhaps in this age: That practice in Parliament had rendered him the most expert debater in the House, where his wit and learning had always made him one
of

of the most instructive and pleasant members : That in politics he was unassuming, in Parliament never overbearing, in the Treasury immaculate, unsuspected (and, what was more extraordinary in those times), unaccused : That the benevolent disposition of his nature had made him slow in resentment, easily placable, patient of unmerited aspersions, inclined to moderation on all occasions, and more free from personal enemies than any Minister who had ever been in office for the same length of time : That he had been called up to this high station by his Sovereign, for eminent talents shewn, in maintaining at once the authority of Parliament, and the privileges of the people : That his advancement to that post was unsolicited, and his continuance in it no longer wished for than whilst it was for the service of his King and country : That his whole administration had been during one continual storm : That he was constantly either threatened with civil commotions, distracted by rebellion in the Provinces, or attacked by the ancient and inveterate foes of this country ; and that in this particular year he had to struggle against these united calamities : That in Parliament he was opposed by a very numerous party of the most able and experienced men of the age, against whom he maintained his ground with equal ability in debate, and often almost singly and unassisted : That he never declined

declined his share of responsibility, or failed in giving due support to his colleagues in office : That through the whole course of a ten years siege, both within and without the doors of Parliament, as a Minister and as a Man, he never betrayed one symptom of fear for himself, want of zeal for his master, or despair of the republic.

F I N I S.

